

***United States District Court***

*Northern District of New York*

**CIVIL JUDGMENT**

**LAMONT R. BIRDEN**

*Plaintiff*

**VS.**

**5:03-CV-1095 (FJS/DEP)**

**SCHANNO TRANSPORTATION INC.; BILL GROJEAN, as Owner; and JIM KWAKENAT, as  
Safety Director**

*Defendant*

**[X] Decision by Court.** This action came to trial or hearing before the Court.  
The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the defendants' motion for summary judgment is granted and the complaint is dismissed. Judgment is hereby entered in favor of the defendants'.

All of the above pursuant to the Order of the Honorable Chief Judge Frederick J. Scullin, Jr., dated the 4th day of April, 2005.

**APRIL 7, 2005**

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**LAWRENCE K. BAERMAN**

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**DATE**

**CLERK OF COURT**

*s/*

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**JOANNE BLESKOSKI  
DEPUTY CLERK**